

REMARKS

Claims 1, 5, 7, 8, 11, 12, 15, 16, 19, 21-23, 25-42, 44-46, 48, 50, 53-55, 59 and 60 are in this application and are presented for consideration. By this Amendment, Applicant has amended claims 1, 5, 8, 23, 59 and 60.

Claims 1, 5, 7, 8, 11, 12, 15, 16, 19, 21-23, 25-42, 44-46, 49, 50, 53-55, 59 and 60 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Fadaie (U.S. 5,328,319).

The present invention relates to a method and a device wherein a gripping device grips objects in a first geometrical arrangement with a first packaging density and moves the objects so that the objects form a modified geometrical arrangement with a modified packaging density. Fadaie fails to teach or suggest such a gripping device as claimed. At most, Fadaie discloses an article engaging means 14 that engages stacks of cups 32 and transfers them to containers. However, the article engaging means 14 of Fadaie does not modify the geometric arrangement of the stacks of cups 32 as claimed. This is clearly shown in Figures 2a and 4a of Fadaie, which show that the geometrical arrangement of the stacks of cups 32 remains the same. In fact, Fadaie does not even teach or suggest that the lateral spacing between the stacks of cups 32 is changed. Compared with Fadaie, the gripping device of the present invention grips the objects in a first geometrical arrangement and moves the objects such that the objects are in a modified arrangement. This advantageously provides a more space efficient arrangement of the objects since the packaging density of the objects is significantly increased. Fadaie fails to disclose such packaging density increasing advantages since Fadaie only discloses transferring stacks of cups 32 with an article engaging means 14, but does not direct the person of ordinary skill in the art

toward a gripping device that modifies a geometric arrangement of the stacks of cups 32 as claimed. Figures 2a, 2b, 2c, 2d, 3a, 3b, 4a, 4b, 5a and 5b clearly show the same geometric arrangement of the cups, namely the arrangement of the stacks of cups 32 in a 6 by 6 square. However, Fadaie is absolutely void of any teaching or suggestion that the article engaging means 14 changes the 6 by 6 square into another geometric arrangement. Fadaie merely teaches exchanging stacks of cups of one color with stacks of cups of another color, but the geometric arrangement of the stacks of cups do not change as featured in the claimed combination. As such, Fadaie takes a different approach and fails to direct a person of ordinary skill in the art toward a gripping device that modifies a first arrangement of objects into a more compact and space-efficient arrangement of objects as claimed. Accordingly, Applicant respectfully requests that the Examiner favorably consider claims 1, 23 and 59 as now presented and all claims that respectively depend thereon.

Favorable action on the merits is requested.

Respectfully submitted
for Applicant,



By: _____
John James McGlew
Registration No. 31,903
McGLEW AND TUTTLE, P.C.

- and -



By: _____
Brian M. Duncan
Registration No. 58,505
McGLEW AND TUTTLE, P.C.

JJM:BMD
72274-8

DATED: July 7, 2008
BOX 9227 SCARBOROUGH STATION
SCARBOROUGH, NEW YORK 10510-9227
(914) 941-5600

SHOULD ANY OTHER FEE BE REQUIRED, THE PATENT AND TRADEMARK OFFICE
IS HEREBY REQUESTED TO CHARGE SUCH FEE TO OUR DEPOSIT ACCOUNT 13-
0410.